

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of:

TAKI TOOO  
DCA-03-MM-035

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Tuesday,  
June 17, 2003

INTERVIEW OF:

CAPTAIN PAUL D. JEWELL

PRESENT:

BILL WOODY

1 P R O C E E D I N G S

2 CAPTAIN JEWELL: Captain Jewell here.

3 LIEUTENANT GILMORE: Captain, Lieutenant  
4 Gilmore. I am going to go ahead let, this is Bill  
5 Woody, chairing and he is going to go ahead and  
6 introduce everybody for you.

7 CAPTAIN JEWELL: Okay.

8 MR. WOODY: This is Bill Woody. On the  
9 other side of the table, a little further away is  
10 Bob Ford.

11 Bob, say hello.

12 MR. FORD: Hello, Captain.

13 CAPTAIN JEWELL: Hello.

14 MR. WOODY: And for the -- And Officer Pete  
15 Wood from the Sheriff's Department.

16 MR. WOOD: Captain.

17 CAPTAIN JEWELL: How are you doing?

18 MR. WOODY: And Ken Lawernson.

19 MR. LAWERNSON: Hi, Captain.

20 CAPTAIN JEWELL: Hi.

21 LIEUTENANT GORDON: Captain, Kelly Gordon  
22 here.

23 LIEUTENANT GILMORE: Okay. Captain, that is  
24 everybody.

25 CAPTAIN JEWELL: Okay.

1                   LIEUTENANT GILMORE: Bill Woody here is  
2 going to start off the questioning and he will lead  
3 the format.

4                   CAPTAIN JEWELL: Okay.

5                   MR. WOODY: Captain, we have a question on  
6 the, regarding the Tillamook bar, the closing the  
7 bar and restricting the bar. And we would like to  
8 have you just give us an explanation of what the  
9 Coast Guard does under these two headings.

10                  CAPTAIN JEWELL: Restricting the bar applies  
11 to recreational vessels and six packs. It is done  
12 by the officer in charge out in Tillamook. I have  
13 the, when the primary bar I am concerned with was my  
14 AOR is the Columbia River Bar actually. I have  
15 not, since I have been here, closed any bar. It  
16 would require me to forward on up to the district  
17 commander and ask him to institute a regulated  
18 navigational area. We haven't done that since I  
19 have been here. The closing of the Columbia River  
20 Bar, when it has been necessary to restrict it to  
21 commercial traffic has been essentially done by the  
22 bar pilots and they essentially just refuse to take  
23 anybody across the bar. I don't have that kind of  
24 commercial traffic in Tillamook and until this  
25 weekend, Tillamook has, you know, the issue of bar

1 closing and restriction out there has never crossed  
2 my desk here in Portland.

3 MR. WOODY: Now, we understand that  
4 restricting the bar to recreational vessels and six  
5 packs is something which is a local matter, but is  
6 reported to the Group. Does that come, does that  
7 information filter up to you?

8 CAPTAIN JEWELL: No, that is a different  
9 group. I have, my group boundaries extend down to  
10 Mile 45 and Columbia River, although I am the  
11 captain of the Port Authority all throughout Oregon.

12 So, if they close, if they restrict Tillamook Bar,  
13 that would be reported to Group Astoria and not  
14 Group Portland.

15 MR. WOODY: All right. Now we have heard  
16 criteria here from the -- I mean, about the  
17 different conditions they consider when they  
18 restrict recreational vessels. It is a matter, it  
19 is a matter of judgement call based on what the  
20 coxswain can see at the bar. Are there any written  
21 criteria anywhere that give them guidance?

22 CAPTAIN JEWELL: There are, in Part 177 33  
23 CFR, there is some written, it talks about other  
24 unsafe conditions in regulated boating area and  
25 Tillamook is considered a regulated boating area,

1 the Tillamook Bar is considered a regulated boating  
2 area in 33. And there is a formula in there where  
3 you can factor into wave heights and so on and so  
4 forth. If you look at it, it is pretty complicated.

5 So, he has that to assist him, but, you know, it  
6 doesn't surprise me that it is a judgement call out  
7 there.

8 MR. WOODY: All right. We have reviewed also  
9 one of the Coast Guard directives, which include  
10 that formula and list the various pre designated  
11 areas for local restrictions.

12 CAPTAIN JEWELL: Right.

13 MR. WOODY: And so, is there anything more  
14 to it than that?

15 CAPTAIN JEWELL: Again, as I said, I really  
16 don't get involved in the restricted areas and the  
17 regulated boating areas. My primary concern here as  
18 captain of the Port is the larger commercial vessels  
19 and again primarily Columbia River Bar, Great  
20 Harbor, and Coos Bay.

21 MR. WOODY: We certainly understand that.

22 Does anyone else have any questions of the  
23 Captain on this subject here on closing bars?

24 The other area of interest that we have is  
25 that of wearing life jackets. We have the master

1 chief's opinion about wearing life jackets and we  
2 asked some questions, if there is anyway that life  
3 jackets could be approved that would be more  
4 agreeable for people to wear. Also, we have had the  
5 thing come up of if you take the life jackets and  
6 use them in a routine manner for crossing the bar,  
7 then we store them, in effect you are using  
8 equipment that should be reserved for emergency  
9 purposes. I think that is kind of the thing we are  
10 thinking about. And we are thinking about, you  
11 know, crossing hazardous bars, or crossing bars, put  
12 it that way.

13 CAPTAIN JEWELL: Right.

14 MR. WOODY: Can you discuss that for a  
15 general question for us?

16 CAPTAIN JEWELL: Yeah, well, the first part  
17 of the question is, you know, can life jackets be  
18 essentially more wearer friendly or wearable. I  
19 mean, in the last couple of years, the Coast Guard  
20 has started to approve these inflatable life jackets  
21 for certain use and those are, and the Coast Guard  
22 wears those on our patrols. And they are certainly,  
23 I mean, they are also for winter use, you know, they  
24 were designed and approved the flotation coats,  
25 which if you are going to wear coat, it might as

1 well float. So, I don't think that is as much of an  
2 issue as it used to be, although certainly the  
3 expense of those types of life jackets is an issue.

4

5 The second part of the question is, was  
6 what, again?

7 MR. WOODY: Well, I think if, I think I  
8 believe the second part of the question was if there  
9 were, was something that they could use for crossing  
10 the bar that would be independent, perhaps, of the  
11 storage of life jackets that would be set aside for  
12 emergencies.

13 CAPTAIN JEWELL: Yeah, that is a good  
14 question. It is my understanding that when 185 was  
15 written, one of the original drafts made it a  
16 requirement that the master provide life jackets, if  
17 requested, but after comment, I think by the  
18 commercial mariners, they took it out, to ensure  
19 that they stay as a standing rule part of the life  
20 safety equipment on the vessel. So, I mean, your  
21 question gets to the fact should the regulations be  
22 changed. That is the question I guess that needs  
23 to be floated up to Headquarters.

24 MR. WOODY: Yes, I think that is the  
25 question. And is there, does something like this

1 sound like a viable idea that deserves further  
2 consideration?

3 CAPTAIN JEWELL: I think without question.  
4 I think the way the regulation is written, 185,  
5 particularly, you know, if the master required his  
6 passengers to wear life jackets right now, it is  
7 almost, he is almost admitting that things may be  
8 too hazardous to proceed, and you know, the question  
9 is if something happens why did the master proceed  
10 in hazardous conditions. He made us, he made us  
11 wear life jackets so the conditions must be  
12 hazardous. I think, my personal opinion I think  
13 that the regs need to be changed to make it more,  
14 perhaps more restrictive or require the master to  
15 issue life jackets in certain conditions, where they  
16 won't be admitting to the fact that, you know, it  
17 removes the choice possibly, I guess is what I am  
18 getting to.

19 MR. WOODY: Right. And we were wondering  
20 also if it might be possible to wear maybe a Type II  
21 or III device to transiting across the bar.

22 (Pause.)

23 MR. WOODY: Some of these questions, I know  
24 could be getting into what as sacred area and I am  
25 just sort of brainstorming here in effect.



1                   CAPTAIN JEWELL: Yeah.   Well, you know, I  
2   guess, if you are going to talk about changing  
3   regulations to make it more permissible or  
4   restrictive or I mean, that is something has to be  
5   brought up with Headquarters.   You know, I enforce  
6   them, I don't write them out here.

7                   MR. WOODY: Yes, I certainly understand. And  
8   we weren't asking you for endorse, we were just  
9   wondering if it would, on this coast, with these  
10   bars we have, if it is, if it is an idea which  
11   requires, you know, further thought.

12                  CAPTAIN JEWELL: Yeah, well, certainly.  
13   There is no question, in light of what happened this  
14   weekend, something is broken and I think it needs a  
15   change.

16                  MR. WOODY: Okay. Any other questions around  
17   the table for --

18                  (Pause.)

19                  MR. WOODY: That is, I think you have kind  
20   of, I think I have, given you the benefit of our  
21   questions.   We have been getting, the feelings we  
22   have been developing here in asking questions of  
23   people, you know, finding out the fact that the  
24   operators are not in favor of life jackets as they  
25   are now.   We understand the people don't wear the

1     Type I that are bulky. So, we are just exploring  
2     this idea. And just wanted to, you know, there are  
3     technical things changing all the time and we  
4     wondered whether you thought it was a practical  
5     feasibility to do this.

6             CAPTAIN JEWELL: Yeah. I do, I am on your  
7     side on this.

8             MR. WOODY: Okay.

9             UNIDENTIFIED SPEAKER: That sounds good.

10            LIEUTENANT GILMORE: Well, Captain, I  
11     appreciate it. There is no other questions, we will  
12     let you go back to work.

13            CAPTAIN JEWELL: Okay. Thanks.

14            MR. WOODY: Thank you.

15            (End of tape.)